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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/756,697

01/10/2001

David Stephen Gress

95-456

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23164

7590

10/04/2006

LEON R TURKEVICH

2000 M STREET NW

7TH FLOOR

WASHINGTON, DC 200363307

EXAMINER

OSMAN, RAMY M

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 10/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/756,697

Applicant(s)

GRESS ET AL

Examiner

Ramy M. Osman

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-13,15,22,24-30,32-37,39-49,51-58,60-70 and 72-78 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-13,15,22,24-30,32-37,39-49,51-58,60-70,72-78 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Status of Claims***

1. This communication is responsive to amendment filed on January 3, 2006, no claims were amended or cancelled. Claims 1,3-13,15,22,24-30,32-37,39-49,51-58,60-70,72-78 are pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1,3-13,15,22,24-30,32-37,39-49,51-58,60-70,72-78 have been considered and are found to be persuasive regarding the user interface session. Therefore, a new grounds of rejection is presented below.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1,3-5,7-12,15,16,18-22,24,26-30,33,35-37,39-41,43-48,51,52,54-58,60-62,64-69,72,73 and 75-78 rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (US Patent No 6,442,600) in view of Shiigi (US Patent No 6,304,898) in view of Sasaki et al (US Patent No 5,870,477) in further view of Gifford et al. (U.S. Patent No. 6,549,612).

5. In reference to claims 1,22,37 and 58, Anderson teaches a method, server, computer readable medium for a communications system comprising:

Art Unit: 2157

Receiving from a requesting device a request for providing a user interface session by the communications system to enable a user of the requesting device to send a message to an identified destination subscriber (column 2 lines 1-50 and column 5 lines 15-25);

Receiving the message from the requesting device as part of the user interface session (column 2 lines 1-50 and column 5 lines 15-2);

Generating for the requesting device as part of the user interface session a first prompt enabling the user to select encryption of the message (column 2 lines 1-50 and column 5 lines 24-30);

Invoking a resource configured for executing encryption of the message into an encrypted message based on the encryption key (column 2 lines 1-50, column 5 lines 25-35 and column 7 lines 35-50); and

Outputting the message to a determined destination based on determined subscriber profile attributes for the identified destination subscriber (column 2 lines 1-50 and column 5 line 35 – column 6 line 50).

Anderson fails to teach wherein the user interface session is provided by the server. However Shiigi teaches sending an email program to a client device for the purpose of sending customized email software to a client (Shiigi, column 2 lines 15-67 and column 4 line 55 – column 5 line 10). It would have been obvious for one of ordinary skill in the art to modify Anderson wherein the interface session is provided by the server as per the teachings of Shiigi for the purpose of providing a customized email program to a client device.

Although Anderson teaches encrypting a message by utilizing an encryption key based on the user selecting encryption of the message (Summary and column 5 lines 25-50), and

Art Unit: 2157

although Anderson teaches that a variety of encryption mechanism can be employed with the MDS system (column 7 lines 43-49); Anderson fails to explicitly teach a second prompt for the user to supply an encryption key, and encrypting the message based on the encryption key received from the requesting device. However, Sasaki teaches symmetric encryption of a message where a user inputs an encryption key for encrypting a centrally stored data/message, and where a select number of receivers are able to decrypt the data/message (Sasaki, column 30 line 20 – column 31 line 15 and column 41 line 45 – column 42 line 20).

It would have been obvious for one of ordinary skill in the art to modify Anderson by generating for the requesting device as part of the user interface session a second prompt, based on the user selecting encryption of the message for the user to supply an encryption key, and encrypting the message based on the encryption key received from the requesting device, as per the teachings of Sasaki for the purpose of making a secure messaging system utilizing symmetric encryption where a select number of receivers are able to decrypt the data/message.

Anderson fails to explicitly teach wherein the communications system is a unified communications system. However, Gifford teaches providing unified messaging services to subscribers for the benefit of integrating email, voice, fax and video messaging (Gifford, Summary and column 6).

It would have been obvious for one of ordinary skill in the art to modify Anderson by making the communications system a unified communications system as per the teachings of Gifford for the benefit of integrating email, voice, fax and video messaging.

6. In reference to claims 2,23,38 and 59, Anderson in view of Sasaki in further view of Gifford teach claims 1,22,37 and 58 respectively, wherein the causing encryption step includes

Art Unit: 2157

invoking a prescribed utility for generation of the encrypted message (column 2 lines 1-50, column 5 lines 25-35 and column 7 lines 35-50).

7. In reference to claims 3,24,39 and 60, Anderson in view of Sasaki in further view of Gifford teach claims 1,23,37 and 58 respectively, wherein the step of receiving the message includes receiving a message data file having the message and a Multipurpose Internet Mail Extension (MIME) that specifies a format of the message (Gifford teaches that MIME is well known in the art, column 2 lines 1-25 and column 6 line 30 – column 7 line 10).

8. In reference to claims 4,25,40 and 61, Anderson in view of Sasaki in further view of Gifford teach claims 3,22,39 and 60 respectively, generating a message transport header specifying an IP based destination address corresponding to the identified destination subscriber (Gifford, column 10).

9. In reference to claim 5,26,41 and 62, Anderson in view of Sasaki in further view of Gifford teach claims 3,25,39 and 60 respectively, wherein the message data file has a MIME extension specifying a “.wav” format, with an audio header and a payload (Gifford, column 15 lines 1-30).

10. In reference to claim 7,43 and 64, Anderson in view of Sasaki in further view of Gifford teach claims 1,37 and 58 respectively, wherein the outputting step includes outputting the encrypted message to the determined destination according to at least one of SMTP protocol and IMAP protocol (Gifford, column 2 lines 1-25 and column 15 lines 1-30).

11. In reference to claim 8,27,44 and 65, Anderson in view of Sasaki in further view of Gifford teach claims 1,37 and 58 respectively, further comprising:

Receiving from a second requesting device a request for providing a second user interface session by the unified communications system to enable the identified destination subscriber using the second requesting device to retrieve stored messages; Retrieving for the second user interface session information related to the stored messages for the identified destination subscriber (column 6 lines 5-67);

Detecting one of the stored messages as encrypted (column 6 lines 15-30).

Although Anderson teaches encrypting a message by utilizing an encryption key based on the user selecting encryption of the message (Summary and column 5 lines 25-50), Anderson also teaches that a variety of encryption mechanism can be employed with the MDS system (column 7 lines 43-49). Anderson fails to explicitly teach detecting one of the stored messages as encrypted, a third prompt, based on detecting the one stored message, for the identified destination subscriber to input a decryption key, and supplying the decryption key and the one stored message to an invoked decryption utility for decryption of the one stored message into a decrypted data file. However, Sasaki teaches symmetric encryption of a message where a user inputs an encryption key for encrypting a centrally stored data/message, and where a select number of receivers are able to decrypt the data/message by inputting a decryption key and performing decryption of the message (column 30 line 20 – column 31 line 15 and column 41 line 45 – column 42 line 20).

It would have been obvious for one of ordinary skill in the art to modify Anderson by detecting one of the stored messages as encrypted, a third prompt, based on detecting the one stored message, for the identified destination subscriber to input a decryption key, and supplying the decryption key and the one stored message to an invoked decryption utility for decryption of

Art Unit: 2157

the one stored message into a decrypted data file, as per the teachings of Sasaki for the purpose of making a secure messaging system utilizing symmetric encryption where a select number of receivers are able to decrypt the data/message.

12. In reference to claim 9,28,45 and 66, Anderson in view of Sasaki in further view of Gifford teach claims 8,44 and 65 respectively, further comprising outputting a decryption result, having been received from the invoked decryption utility relative to the supplying of the decryption key and one stored message, during the second user interface session to the identified destination subscriber, independent of the encryption key matching the decryption key (column 6 lines 5-67).

13. In reference to claim 10,29,46 and 67, Anderson in view of Sasaki in further view of Gifford teach claims 1,22,37 and 58 respectively, wherein the receiving step includes receiving the request according to hypertext transport protocol, each of the steps of generating the first prompt, and generating the second prompt including sending a corresponding HTML page specifying the corresponding prompt, the step of receiving the message includes receiving the message as an HTTP post to a prescribed uniform resource location (Gifford, columns 6 & 7).

**14. In reference to claims 11,30,47 and 68, Anderson teaches a method, server, computer readable medium and a unified communications system comprising:**

receiving from a requesting device a request for providing a user interface session by the unified communications system to enable a messaging subscriber using the requesting device to retrieve stored messages (column 6 lines 5-67);



Art Unit: 2157

accessing, for the user interface session, subscriber profile information from a subscriber profile directory according to a prescribed open network protocol; determining one of the stored messages is encrypted based on access of a message store according to a prescribed open network protocol and based on the accessed subscriber profile information (column 6 lines 5-67);

Anderson fails to teach wherein the user interface session is provided by the server. However Shiigi teaches sending an email program to a client device for the purpose of sending customized email software to a client (Shiigi, column 2 lines 15-67 and column 4 line 55 – column 5 line 10). It would have been obvious for one of ordinary skill in the art to modify Anderson wherein the interface session is provided by the server as per the teachings of Shiigi for the purpose of providing a customized email program to a client device.

Although Anderson teaches encrypting a message by utilizing an encryption key based on the user selecting encryption of the message (Summary and column 5 lines 25-50), Anderson also teaches that a variety of encryption mechanism can be employed with the MDS system (column 7 lines 43-49). Anderson fails to explicitly teach generating a prompt based on identifying the one stored message as encrypted, for the messaging subscriber to input a decryption key; and invoking a resource configured for attempting decrypting of the one stored message based on the decryption key having been supplied by the messaging subscriber via the requesting device as part of the user interface session. However, Sasaki teaches symmetric encryption of a message where a user inputs an encryption key for encrypting a centrally stored data/message, and where a select number of receivers are able to decrypt the data/message by

Art Unit: 2157

inputting a decryption key and performing decryption of the message (Sasaki, column 30 line 20 – column 31 line 15 and column 41 line 45 – column 42 line 20).

It would have been obvious for one of ordinary skill in the art to modify Anderson by generating a prompt based on identifying the one stored message as encrypted, for the messaging subscriber to input a decryption key; and invoking a resource configured for attempting decrypting of the one stored message based on the decryption key having been supplied by the messaging subscriber via the requesting device as part of the user interface session, as per the teachings of Sasaki for the purpose of making a secure messaging system utilizing symmetric encryption where a select number of receivers are able to decrypt the data/message.

15. In reference to claims 12,31,48 and 69, Anderson in view of Sasaki in further view of Gifford teach claims 11,30,47 and 68 respectively, further comprising:

obtaining a decryption result based on the invoking step; and outputting the decryption result for attempted presentation to the messaging subscriber (column 6 lines 5-67).

16. In reference to claims 15,33,51 and 72, Anderson in view of Sasaki in further view of Gifford teach claims 11,30,47 and 68 respectively, further comprising obtaining, based on the invoking step, a decryption result including a message data file having a message and a Multipurpose Internet Mail Extension (MIME) that specifies a format of the message (Gifford teaches that MIME is well known in the art, column 2 lines 1-25 and column 6 line 30 – column 7 line 10).

17. In reference to claim 16,36,52 and 73, Anderson in view of Sasaki in further view of Gifford teach claims 11,30,47 and 68 respectively, wherein the receiving step includes receiving

Art Unit: 2157

the request according to hypertext transport protocol, wherein the step of generating the prompt includes outputting a first HTML page specifying the prompt (Gifford, columns 6 & 7).

18. In reference to claim 18,54 and 75, Anderson in view of Sasaki in further view of Gifford teach claims 17,53 and 74 respectively, wherein the determining step includes:

accessing the message store according to IMAP protocol for messaging information related to the stored message for the messaging subscriber, based on the accessed subscriber profile information (Gifford, column 2 lines 1-25 and column 15 lines 1-30); and

identifying the one stored message as encrypted based on a prescribed file extension specifying that the one stored message has an encrypted format (Anderson, column 5 line 45 – column 6 line 40).

19. In reference to claim 19,55 and 76, Anderson in view of Sasaki in further view of Gifford teach claims 18,54 and 75 respectively, wherein the identifying step includes identifying the prescribed file extension as a MIME type extension that specifies an encrypted format (Gifford, column 6 lines 58-61).

20. In reference to claim 20,56 and 77, Anderson in view of Sasaki in further view of Gifford teach claims 11,47 and 68 respectively, wherein the determining step includes:

accessing the message store according to IMAP protocol for messaging information related to the stored message for the messaging subscriber, based on the accessed subscriber profile information (Gifford, column 2 lines 1-25 and column 15 lines 1-30); and

identifying the one stored message as encrypted based on a prescribed file extension specifying that the one stored message has an encrypted format (Anderson, column 5 line 45 – column 6 line 40).

Art Unit: 2157

In reference to claim 21,57 and 74, Anderson in view of Sasaki in further view of Gifford teach claims 20,56 and 77 respectively, wherein the identifying step includes identifying the prescribed file extension as a MIME type extension that specifies an encrypted format (Gifford teaches that MIME is well known in the art, column 2 lines 1-25 and column 6 line 30 – column 7 line 10).

**21. Claims 13,32,49 and 70 rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (US Patent No 6,442,600) in view of Sasaki et al (US Patent No 5,870,477) in further view of Gifford et al. (U.S. Patent No. 6,549,612) in further view of Olkin et al. (U.S. Patent No. 6,584,564).**

22. In reference to claim 13,32,49 and 70, Anderson in view of Sasaki in further view of Gifford teach claims 12,31,48 and 69 respectively. Anderson fails to explicitly teach wherein the outputting step includes outputting the decryption result independent of whether the decryption key enabled successful decryption of the one stored message. However, Olkin teaches a secure messaging system (Summary). Olkin discloses outputting a decryption result independent of whether a decryption key enabled successful decryption of a message (column 16 lines 10-25).

It would have been obvious for one of ordinary skill in the art to modify Anderson by outputting a decryption result independent of whether a decryption key enabled successful decryption of a message as per the teachings of Olkin so that the contents of the message can be protected from unauthorized access.

Art Unit: 2157

**23. Claim 6,17,25,34,42,53,63 and 74 rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (US Patent No 6,442,600) in view of Sasaki et al (US Patent No 5,870,477) in further view of Gifford et al. (U.S. Patent No. 6,549,612) in further view of Edmunds et al. (U.S. Patent No. 6,412,079).**

24. In reference to claims 6,17,42,53,63 and 74, Anderson in view of Sasaki in further view of Gifford teach claims 1,11,37,47,58 and 68 respectively. Anderson fails to explicitly teach determining the subscriber profile attributes for the identified destination subscriber based on accessing a subscriber directory according to Lightweight Directory Access Protocol (LDAP), the subscriber profile attributes specifying the determined destination. However, Edmunds teaches accessing a directory according to the well known standard LDAP protocol within a unified messaging system (Abstract, column 8 lines 30-50 and column 10 lines 3-24).

It would have been obvious for one of ordinary skill in the art to modify Anderson by determining the recipient of the message by accessing a subscriber directory according to LDAP protocol for retrieval of destination information as per the teachings of Edmunds because LDAP is a well known standard facilitating directory searching.

25. In reference to claims 25 and 34, Anderson in view of Sasaki in further view of Gifford teach the above mentioned claims including the SMTP and IMAP protocols (Gifford, column 2 lines 1-25 and column 15 lines 1-30). Anderson fails to explicitly teach accessing a subscriber directory according to Lightweight Directory Access Protocol (LDAP). However, Edmunds teaches accessing a directory according to the well known standard LDAP protocol within a unified messaging system (Abstract, column 8 lines 30-50 and column 10 lines 3-24).

Art Unit: 2157

It would have been obvious for one of ordinary skill in the art to modify Anderson by determining the recipient of the message by accessing a subscriber directory according to LDAP protocol for retrieval of destination information as per the teachings of Edmunds because LDAP is a well known standard facilitating directory searching.

### *Conclusion*

26. Applicant is advised that the above specified citations of the relied upon prior art are only representative of the teachings of the prior art, and that any other supportive sections within the entirety of the reference (including any figures, incorporation by references, and claims) is implied as being applied to teach the scope of the claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M. Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2157

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RMO

October 1, 2006

  
ARIOETIENNE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

ARIOETIENNE